

California Regional Water Quality Control Board  
Santa Ana Region

May 31, 2002

ITEM: 20

SUBJECT: List of Supplemental Environmental Projects

DISCUSSION:

The Regional Board may allow a discharger to satisfy some or all of the monetary assessment imposed in an administrative civil liability complaint (ACL complaint) by funding or completing one or more supplemental environmental projects (SEPs). As discussed in the Water Quality Enforcement Policy, adopted by the State Water Resources Control Board on February 19, 2002, SEPs are projects that enhance the beneficial uses of the waters of the State, provide a benefit to the public at large, and that, at the time they are included in an ACL action, are not otherwise required of the discharger.

Any public or private entity may submit a proposal to the State Board or to a regional board for an SEP. The Enforcement Policy also requires that each regional board shall evaluate each proposal and maintain a list of candidate SEPs that satisfy the general criteria identified in the Enforcement Policy. The regional boards are also required to maintain this list of candidate SEPs on the Internet, along with information on completed SEPs and SEPs that are in progress.

The Enforcement Policy includes a discussion of general SEP qualification criteria. These include:

1. An SEP should only consist of measures that go above and beyond the obligation of the discharger.
2. The SEP should directly benefit or study groundwater or surface water quality or quantity, and the beneficial uses of waters of the State.
3. The SEP shall not directly benefit the State Board or a regional board.
4. The SEP shall not be an action, process or product that is otherwise required of the discharger by any rule or regulation of any entity.
5. The regional board shall also consider the institutional stability, capacity and ability of the discharger or third party to accomplish the work and provide the products and reports expected.

Examples of SEPs that have been funded within the Santa Ana Region include Arundo removal projects, stakeholder outreach efforts related to the storm water program for controlling pollutant discharges from construction projects, a diversion of urban runoff from a water contact recreation area, and kelp reforestation.

Attachment "A" is a list of projects that have been proposed by agencies and individuals throughout the region, and in one case, outside of the region. This list, plus any additions or modifications, will be posted on the Regional Board's web site. We will also develop a list of ongoing SEPs and an indication of the status of those SEPs.

# Attachment “A”

## Supplemental Environmental Projects

1. Santa Ana Watershed Regional Data Collection and Management Program (\$170,000) – SAWPA, Santa Ana River Watershed Group (SARW Group)

This is an extraordinarily important project that would provide a single-point repository and data management system for water quality data generated within the Santa Ana Watershed. The ongoing Nitrogen/TDS Task Force work has demonstrated the efficacy and need for such a system. The program would support important planning and development activities throughout the watershed. The stakeholders for this project are all water agencies, municipalities and wastewater agencies throughout the watershed.

2. Regional Coastal Waters Survey (Bight 03) – Southern California Coastal Water Research Project (SCCWRP)

SCCWRP has taken a leadership role in Southern California in assessing the overall condition of Southern California’s coastal waters. This project is the third regional survey and is proposed for the summer of 2003. This is a project that generates tremendously important water quality data on the Southern California Bight and is supported by a broad-based stakeholder group. The information generated by this project is invaluable to the regional board.

3. Kelp Reforestation (unspecified costs) – Orange County Coastkeeper

This program is a continuation of Coastkeeper’s ongoing effort to foster kelp reforestation efforts along the Orange County coast. It involves the germination, nurturing and transplanting of giant kelp. The current restoration target site is Wheeler’s Reef in the Crystal Cove State Park Marine Preserve, a designated Area of Special Biological Significance.

4. Arundo Removal (\$55,000,000) – SAWPA

Although approximately \$25,000,000 have been provided for Arundo removal to date, it is estimated that another \$55,000,000 and 10 more years will be needed for completion of the project. It is necessary that this species be removed and the removal be monitored for five years to ensure eradication.

5. Natural and Treatment Wetlands (\$40,000,000) – SAWPA

The proposal would develop and fund projects in all three counties. The use of wetlands for treatment and a buffer for the river and its tributaries will provide environmental habitat and provide a more resilient system for protection of surface waters.

6. Santa Ana Sucker Conservation (\$10,000,000) – SAWPA, SARW Group, County of Orange

A five-year project to make modifications to the Santa Ana River and its tributaries to remove barriers and provide refuge for fish.

7. Buck Gully Diversion and Filtration (unspecified costs) – Orange County Coastkeeper

This project would support the ongoing efforts to utilize mobile filtration technology to capture, filter and reuse water from urban runoff in Buck Gully, located in Corona del Mar. The program is designed to maintain essential flows for habitat sustainability, but keeps contaminated water from sensitive beach and tide pool areas. Funding would assist in the maintenance of the existing program, the initiation of a habitat restoration program for the gully, and the initiation of a public outreach program to reduce the source of flows into the gully.

8. Chino Hills State Park Expansion (\$15,000,000) – SAWPA

This project would work to connect the Prado Wetlands and the Chino Hills State Park. Land would be acquired in the area directly east of the current park boundary east and north of the 71 freeway, and south to near the Santa Ana River.

9. Santa Ana River Trail and Parkway Completion (\$40,000,000) – SAWPA

This project would complete and upgrade the multi-use trail to connect the San Bernardino Mountains and the Pacific Crest Trail to the already-completed portions of the Santa Ana River Trail in Orange County and portions of San Bernardino and Riverside Counties. This project is supported by a large stakeholder group of the counties, cities and environmental groups.

10. Linear Parks and Buffer Open Space (\$10,000,000) – SAWPA

This project would provide connectivity in habitat and would buffer the streams from non-point source contamination. The corridors would function for wildlife and human movement with either unimproved paths or formal paved trails. The

connectivity for wildlife would provide for their continued movement during urbanization of farming areas and less developed areas.

11. San Jacinto Watershed Management Facilitation Services (\$100,000) – SAWPA

This project would provide funding for the services of a San Jacinto Watershed Coordinator to support the efforts of the San Jacinto Watershed Council. Important work has commenced within the watershed to address water quality contaminants that are discharged from the watershed and impair downstream water bodies, such as Lake Elsinore and Canyon Lake. This project is supported by the Santa Ana Watershed Project Authority and the Lake Elsinore and San Jacinto Watersheds Authority.

12. Watershed Planning, Modeling and Stakeholder Outreach (\$6,000,000) – SAWPA

This project will provide the tools, data collection and planning for multipurpose projects within the watershed that address a variety of needs and are supported by a diverse group of stakeholders. The program would also serve as a permanent home for collaborative projects within the watershed, as well as providing an independent analysis of future conditions of the watershed.

13. Public Awareness and Education Activities (unspecified costs) – University of California Extension

This proposal is to use SEPs to subsidize public awareness and education programs concerning water quality, such as a TMDL workshop. The Extension has also suggested that educational programs could be co-sponsored with the Regional Board.

14. Conservation Program for the Chino/Prado Basins (\$500,000) – SARW Group

This program is focused on developing a plan for the utilization of the lower Chino/Prado Basin for wildlife habitat and recreation. The effort would be coordinated with the Corps of Engineers Watershed Planning effort and the County Multiple Species Habitat Conservation Program.

15. Comprehensive Monitoring Program (unspecified costs) – Orange County Coastkeeper

Coastkeeper wishes to initiate a comprehensive monitoring program throughout Orange County to provide data for the Regional Board's Basin Plan and for enforcement purposes. The program would generate data on standard pollutants, metals and bacteria.

16. Marine Studies Center, Shellmaker Island (unspecified costs) – City of Newport Beach, County of Orange, Department of Fish and Game, California Coastal Commission, California Wildlife Federation, and Upper Bay Naturalists.

The cooperating agencies are in the process of developing site and conceptual plans for a Marine Studies Center (Center) on Shellmaker Island. The Center would be designed to accommodate County water quality testing facilities, a water quality education center, and Department of Fish and Game offices. Public agency funding commitments are in the range of \$3 million of an estimated \$5 million project.

17. Website Development and Implementation for the San Jacinto Watershed Council (\$15,000-\$20,000) – Elsinore-Murieta-Anza Resource Conservation District (EMA/RCD) and San Jacinto Resource Conservation District (SJ/RCD)

This project would provide public awareness and outreach to the community concerning San Jacinto Watershed activities through the use of Internet-based resources. It would also promote watershed educational activities and facilitate public relations for the Watershed Council.

18. Facilitation and Development of a One-Year Strategic Plan for the San Jacinto Watershed Council (\$120,000) – SJ/RCD

This project would provide funding for the first year of stakeholder meetings, leading to the development of strategic plan for the San Jacinto Watershed Council.

19. Alternative Storm Water Management – Sub-regional BMP Feasibility Study (\$350,000) – City of Corona

The City proposes a feasibility study and EIR to examine the possibility of using the City's existing settlement ponds for dispersion of low-flow, storm runoff and non-point discharges, prior to these flows reaching the Prado Basin. If the proposed use of these ponds is found to be feasible, the project has the potential to act as a sub-regional BMP. The City states that the "project currently is not a requirement of the Regional State Board stormwater permits". Under the Riverside County area-wide storm water permit to be considered by the Board on May 31, 2002, the City, along with Riverside County and the other municipal co-permittees, would be required to either propose regional or sub-regional BMP alternatives or initiate the use of Standard Urban Storm Water Mitigation Programs (SUSMPs).

20. Environmental Restoration Program for the San Jacinto River Park (unspecified costs) – SJ/RCD

The purpose of this effort is to restore the San Jacinto River Park to a viable park, including hiking trails, a bike path, picnic areas, local floral and fauna education, watershed education and demonstrations.

21. Arlington Desalter Upgrade (unspecified costs) – Western Municipal Water District

This project would upgrade the Arlington Desalter by adding a disinfection and detention storage unit so that potable water could be produced by the facility. Since there is no demand for the non-potable desalter output during wet weather conditions, this project has the advantage of potentially increasing the window of time during which the desalter can be operated. It appears that the main beneficiary of the project would be Norco and the Western Riverside County Regional Wastewater Treatment Plant. It is our understanding that the City of Norco must improve the quality of its water supply, so that violations of the NPDES permit for the Western Regional facility can be minimized. There are a number of source control and water supply quality issues in Norco that must be addressed in order to improve the quality of its wastewater discharged to Western Regional.

22. Water Quality Construction Education Program (\$250,000) – Construction Industry Coalition on Water Quality (CICWQ)

This program would join policy makers, municipal and regional board inspectors, and industry employees in a multi-media effort to broaden the knowledge of performance expectations of the construction and building industries concerning storm water program implementation. CICWQ is proposing to develop and implement a full-scale Water Quality Construction Education Program to be used for training all personnel involved with the development, implementation or enforcement of water quality regulations on construction sites.

23. Windows on Our Waters, Environmental Education Program (\$925,000) - Los Angeles School District

This proposal is for a mobile ocean and traveling discovery center. The program is designed to reach 120,000 students in the Los Angeles School District annually, although it is proposed that other areas could also benefit from the proposal.

24. Development of an Internet-based, Comprehensive Planning Model (\$35,000-\$80,000) – Irwin Haydock

Dr. Haydock proposes the development of a comprehensive planning model that could be used as a tool for problem-solving activities concerning the coastal zone, watershed, and the responsibilities of various agencies that manage the interface between land and water. He proposes a two-step process, including a "Framing" step to determine the benefits of a computer planning system and to define the most critical deliverables. The second step is a Proof of Concept.